



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

*Promoting the wise use of land
Helping build great communities*

SUBDIVISION REVIEW BOARD

MEETING DATE September 12, 2016	CONTACT/PHONE Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	APPLICANT Carlos Castaneda, Jr.	FILE NO. CO 05-0207 SUB2005-00115
SUBJECT A request for a Second Time Extension by CARLOS CASTANEDA, JR. for a Vesting Tentative Parcel Map (CO 05-0207) to subdivide an existing .56 acre parcel into three parcels of 6,526, 7,004 and 10,892 square feet each for the purpose of sale and/or development. The project also includes a request for an exception to the setback standards included in Section 22.10.140 of the Land Use Ordinance to allow a 24 foot, 7 inch front setback for an existing residence instead of the required 25 foot front setback. The project includes off-site road improvements to 16th Street. The proposed project is within the Residential Single Family land use category and is located on the west side of 16th Street (at 1350 16th Street), between Wilmar Avenue and The Pike in the community of Oceano. The site is in the San Luis Bay Inland Sub-area in the South County Planning Area.			
RECOMMENDED ACTION Approve the second time extension request for Vesting Tentative Parcel Map CO 05-0207.			
ENVIRONMENTAL DETERMINATION A Class 15 Categorical Exemption was issued on May 2, 2006 (ED 05-427).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Airport Review Area	ASSESSOR PARCEL NUMBER 062-282-007	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: 22.108.050 – Oceano Community Standards			
LAND USE ORDINANCE STANDARDS: 22.22.080 – Subdivision Design Standards for Residential Single Family Land Use Category; 22.10.141 - Setbacks			
EXISTING USES: Single family residence			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single Family / Residences East: Residential Single Family / Residences South: Residential Single Family / Residences West: Residential Single Family / Residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Vesting tentative parcel map was originally referred to Oceano/Halcyon Community Advisory Council, Public Works, Environmental Health, County Parks, Cal Fire, Oceano Community Services District, Airport Land Use Commission, Air Pollution Control District			
TOPOGRAPHY: Mostly level		VEGETATION: Grasses, ornamentals	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Oceano Community Services District		ACCEPTANCE DATE: N/A	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ Fax: (805) 781-1242			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Parcel Map CO 05-0207 was approved by the Subdivision Review Board on June 5, 2006 and was set to expire on June 5, 2016. The applicant has requested a **second one year time extension and paid the extension application fee on May 18, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related development plan if it is required as a part of the subdivision process).

Vesting Tentative Parcel Map (CO 05-0207) is a request by Carlos Castaneda, Jr. to subdivide an existing .56 acre parcel into three parcels of 6,526, 7,004 and 10,892 square feet each for the purpose of sale and/or development. The project also includes a request for an exception to the setback standards included in Section 22.10.140 of the Land Use Ordinance to allow a 24 foot, 7 inch front setback for an existing residence instead of the required 25 foot front setback. The project includes off-site road improvements to 16th Street.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was June 5, 2008. The Subdivision Review Board approved a first one year time extension request on July 14, 2008 and the new expiration date was June 5, 2009. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **second discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Vesting Tentative Parcel Map CO 05-0207 was extended to June 5, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 05-0207 was extended to June 5, 2012.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 05-0207 was extended to June 5, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 05-0207 was extended to June 5, 2016.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Subdivision Review Board that the **second one year time extension** be granted to June 5, 2017 subject to the conditions of approval set by the Subdivision Review Board on June 5, 2006.

ATTACHMENTS

Attachment 1 - Project Graphics
Attachment 2 - Notice of Final County Action, June 5, 2006

Report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner